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Attorney for Plaintiff Abu Yousuf

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS**

ABU YOUSUF,

Plaintiff,

vs.

**LONGFENG CORPORATION dba
NEW XO MARKET and
PARTYPOKER, GUOWU LI, XU
GUI QING, and FELOTEO V.
R A N A D A d b a N V M
ENTERPRISES, jointly and
severally,**

Defendants.

Civil Case No. 1:21-cv-00015

**DECLARATION IN SUPPORT OF JOINT
MOTION FOR APPROVAL OF
SETTLEMENT AGREEMENT UNDER
THE FAIR LABOR STANDARDS ACT**

I, **JOE HILL**, hereby declare, depose and say:

1. I am over the age of eighteen (18) years old, an adult person with personal knowledge of the matters set forth herein and am competent to testify as to such matters in a court of law.

2. I am the attorney for Plaintiff Abu Yousuf in the above-entitled matter.

JOE HILL
Attorney at Law
Hill Law Offices ~ Susupe
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1 3. I am a graduate of the University of California, Los Angeles School of Law and a
2 licensed attorney since 1973. I have been admitted to the practice of law for 50 years. *See*
3 attached **Exhibit "1"** hereto.

4 4. I have been in government and private practice in the Commonwealth of the
5 Northern Mariana Islands ("CNMI") since 1979 with substantial work in areas of wage and
6 hour, employment law, workers right and civil rights litigation and issues in the local CNMI
7 Courts, Federal District Court for the Northern Mariana Islands and the Ninth Circuit Court
8 of Appeals.

9 5. As a sole practitioner, I represented approximately 76 plaintiffs/factory garment
10 workers in settlement recovery of \$1,000,000.00 US Dollars in *Abellanosa et al., v. L&T*
11 *Int'l., Corporation*, Civ. No. 05-0010, before the United States District Court for the
12 Northern Mariana Islands.

13 6. On May 28, 2021, Plaintiffs filed their Verified Complaint for Violation of the Fair
14 Labor Standards Act and Supplemental State Law Claims against Defendant Longfeng
15 Corporation *dba* New XO Market (collectively "LFC").

16 7. Subsequently, on November 8, 2021, Plaintiffs filed their First Amended
17 Complaint for Violation of the Fair Labor Standards Act and Supplemental State Law Claims
18 ("FAC"), including Feloteo V. Ranada *dba* NVM Enterprises as additional defendant.

19 8. On Defendants' motion to dismiss the FAC, which the Court granted in part and
20 denied in part, the Court also granted Plaintiffs leave to amend.

21 9. On February 24, 2022, Plaintiffs filed their Second Amended Complaint for
22 violations of the Fair Labor Standards Act.
23

1 10. On February 24, 2022, pursuant to a court-approved Stipulation of the Parties,
2 Yousuf filed a Third Amended Complaint, taking out and dismissing and removing
3 Rokonnurzzaman as party-plaintiff and leaving Yousuf as the only remaining Plaintiff
4 against the Defendants.

5 11. During the pendency of this case, Plaintiff served written interrogatories, requests
6 for production of documents and requests for admissions on Defendants.

7 12. In response, Defendants LFC provided numerous documents in addition to their
8 initial disclosures in this matter, which documents the Plaintiff's counsel has had the
9 opportunity to analyze and review.

10 13. On or about June 8, 2023, Plaintiff filed (2nd) Plaintiff's Motion for Summary
11 Judgment against Defendants Long Feng Corporation *dba* New XO Market and Partypoker,
12 Guowu Li and Xu Gui Qing. In the said Motion, Plaintiff attached as one of his exhibits
13 (Exhibit "2"), a computation of his unpaid wages and overtime amounting to \$51,855.36.

14 14. On July 18 to 19, 2023, upon mediation of the Court, through Magistrate Judge
15 Heather L. Kennedy, the parties compromised, negotiated and settled all disputed issues and
16 claims set forth in this action and arising out of Yousuf's employment with the Defendants
17 for the lump sum amount of \$27,500.00 from Defendants Long Feng Corporation *dba* New
18 XO Market and Partypoker, Guowu Li and Xu Gui Qing, and for the installment amount of
19 \$5,000.00 from Defendant Feloteo V. Ranada.

20 15. I believe that the gross settlement amount of \$32,500.00 is within or close to the
21 range that Plaintiff could expect to recover if the action were to have proceed to trial and
22 Plaintiff received a favorable judgment under the circumstances.
23

1 16. Of the total settlement amounts, roughly \$6,634.04 is apportioned to Plaintiff's
2 counsel as attorney's fees plus \$2,565.96 as costs, for a total of \$9,200.00 attorney's fees and
3 costs. Counsel for Plaintiff's requested attorney's fees represent approximately 20.41% of
4 the total gross settlement amount of \$32,500.00.

5 17. Plaintiff counsel's request for recovery of costs amounting to \$2,565.96 including,
6 among others, service of process and filing fees, hearing and deposition transcript costs, and
7 copying costs, appears reasonable when juxtaposed with the volume of motions and litigation
8 generated by the parties. *See* attached **Exhibit "2"** hereto, for the breakdown.

9 18. Plaintiff's counsel believes and proffers that the above-stated attorney's fees and
10 costs do not and will not affect the reasonableness of the settlement.

11 19. While Plaintiff's counsel believes Plaintiff's causes of action and evidence against
12 the Defendants are strong and convincing; however, counsel similarly believes that
13 prevailing at trial on those claims and causes of action would remain uncertain, especially
14 in light of Defendants' continued denial of the existence of the employment relationship
15 between Plaintiff and the Defendants.

16 20. The parties' negotiated and crafted settlement agreement avoids the uncertainty
17 of trial and the likelihood of appeal, and the prospect that either party could possibly lose on
18 appeal.

19 21. The settlement affords the Plaintiff immediate financial relief, without further
20 going through legal obstacles and hurdles which may prevent Plaintiff from obtaining a
21 favorable judgment and recovery.

22 22. In addition, the settlement aims to achieve a mutually acceptable resolution of the
23 disputes between Plaintiff and Defendants without incurring further expense, inconvenience,
and delay of litigation.

Attorney at Law

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief and that this declaration was executed on this 8th day of September 2023 in Saipan, Commonwealth of the Northern Mariana Islands.

1st Joe Hill

HILL LAW OFFICE

Attorney for Plaintiff Abu Yousuf

Oyez! Oyez!

ACCOLADES

The UA Little Rock William H. Bowen School of Law's Jessup International Trial Team won the First Place Memorial Award at the Jessup Regionals competition hosted by the University of Denver Sturm College. The American Bar Association Law Student Division has named the U of A Student Bar Association the 2023 Best Student Bar Association and the recipient of the 2023 Dean Henry J. Ramsey, Jr. Diversity Award. John Rouse of McGlinchey Stafford received the Capital Area Bar Association (CABA) 2023 Service Award.

APPOINTMENTS AND ELECTIONS

John Rouse of McGlinchey Stafford has been elected to the Board of Directors of the CABA. John E. Tull III of Quattlebaum, Grooms & Tull PLLC was recently appointed to the Arkansas Freedom of Information Act Review Working Group by Arkansas Attorney General Tim Griffin.

WORD ABOUT TOWN

Quattlebaum, Grooms & Tull PLLC announced that Rachel A. Sullivant joined the firm as an associate in the firm's Northwest Arkansas office. Rebecca Hurst and Jim Smith have joined Conner & Winters as partners in the firm's Fayetteville office. Rose Law Firm announced that Bourgon Reynolds will serve as the managing member of the firm's Northwest Arkansas office in Rogers. James, House, Swann & Downing, P.A. announced that Jay Shue joined the firm.

Send your oyez to ahubbard@arkbar.com

National High School Mock Trial Championship



Arkansas hosted the National High School Mock Trial Championship in Little Rock in May. Thank you to all of the volunteers who made this event a success, especially Jordan Tinsley (pictured far right), President of the Arkansas Mock Trial Foundation, Inc., and Anthony L. McMullen, Board Secretary and Host Director (pictured far left).



CONGRATULATIONS

JUDGE JOYCE WILLIAMS WARREN

(Ret.)

The Arkansas Bar Association congratulates the Honorable Joyce Williams Warren for being inducted into the 2023 Arkansas Women's Hall of Fame.



CELEBRATING 50 YEARS

Congratulations to the following members who have been admitted to the practice of law in Arkansas for 50 years. A celebration was held at the Lodge at Mt. Magazine State Park in April.

Charles A. Banks
Judge Ben T. Barry
Stephen Bennett
Ralph J. Blagg
Chauncey Brummer
C. Douglas Buford, Jr.
Anthony B. Cameron
Andrew L. Clark
David R. Cravens
Charles D. Davidson, Sr.
James M. Duckett
Forrest Eugene Dunaway
Edward Allen Gordon
David Greenbaum
Justice James H. Gunter, Jr.
Judge David F. Guthrie
John Wesley Hall, Jr.
David Michael Hargis
Joseph Hill
Robert Howard Hopkins, Sr.
Hon. Michael E. Irwin
Charles Cole Jeffries, Jr.
Fred C. Kirkpatrick
Thomas L. Mays
Henry N. Means III
Walter A. Murray
Wyck Nisbet, Jr.
Richard P. Osborne
Thomas L. Overbey
Judge William P. Rainey
John Boyd Robbins
Stephen M. Sharum
Theodore C. Smith
Hon. Jim D. Spears
James D. Sprott
L. David Stubbs
Zachary David Wilson
William G. Wright



YOUSUF v. LONGFENG CORP, RANADA et al

CA 21-00015

	LONGFENG	RANADA	TOTAL
SETTLEMENT AMOUNT	\$27,500.00	\$5,000.00	\$32,500.00
COSTS			
US DISTRICT COURT			
05/28/21 5417 Filing fee	\$402.00		
05/21/21 11274 copy	\$ 5.00		
06/21/21 5433 US Postal	\$ 7.85		
5443 Pingal service	\$ 50.00		
11/18/21 11378 service Pingal	\$ 30.00		
	----- \$ 92.85		
PACER - E-FILING			
02/08/22 5518	\$ 57.70		
05/03/22 5542	\$ 75.90		
01/20/23 11610	\$ 38.00		
05/10/23 11662	\$ 171.70		
07/20/23 11704	\$ 141.00		
	----- \$ 484.30		
LEXISNEXIS - E-RESEARCH			
01/22/23	\$127.00		
OTHER COSTS			
04/15/23 11648 Heidi Doogan hearing transcript	\$ 228.90		
05/16/23 11668 West Pacific Litigation depo transcript	\$ 428.05		
06/22/23 11684 West Pacific Litigation depo transcript	\$ 252.86		
Copies 4 reams 2,000 pages	\$ 1,000.00		

TOTAL COSTS	\$ 3,015.96		
Less initial payment for costs 05/03/21 OR 492648	\$ (450.00)		

NET ADVANCED COSTS	\$ 2,565.96	\$0.00	\$2,565.96
ATTY FEES PERCENTAGE COMPUTATION (\$6,634.04/32,500)	\$6,634.04	\$0.00	\$6,634.04 20.41%

TOTAL AGREED ATTY FEES & COSTS	\$9,200.00	\$0.00	\$9,200.00
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EXHIBIT

2